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|-------------------------------|-----------------|---------------------|--|
| <b>Notice of Allowability</b> | Application No. | Applicant(s)        |  |
|                               | 09/558,236      | KAPLAN, ALAN EDWARD |  |
|                               | Examiner        | Art Unit            |  |
|                               | Kambiz Zand     | 2132                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 07/07/2004.
2.  The allowed claim(s) is/are 5, 6 and 8, now, re-numbered as, claims 1-3.
3.  The drawings filed on 24 April 2000 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 286464
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

|                          |                                |                         |  |
|--------------------------|--------------------------------|-------------------------|--|
| <b>Interview Summary</b> | <b>Application No.</b>         | <b>Applicant(s)</b>     |  |
|                          | 09/558,236                     | KAPLAN, ALAN EDWARD     |  |
|                          | <b>Examiner</b><br>Kambiz Zand | <b>Art Unit</b><br>2132 |  |

All participants (applicant, applicant's representative, PTO personnel):

(1) Kambiz Zand. (3) \_\_\_\_\_.

(2) Henry T. Brendzel. (4) \_\_\_\_\_.

Date of Interview: 04 August 2004.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1-4, 7 and 9-19.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner explained to the Applicant that claims 1-4, 7 and 9-19 have been withdrawn in Applicant's after final amendment, leaving allowable claims in the case. Examiner requested the cancellation of the claims 1-4, 7 and 9-19 in order the case to be in condition for allowance. Mr. Brendzel authorized the cancellation of the claims 1-4, 7 and 9-19 by Examiner amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Henry T. Brendzel on 08/04/2004.

The application has been amended as follows:

**Claims 1-4, 7 and 9-19**

Cancel claims 1-4, 7, and 9-19.

2. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
3. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
4. Claims 1-4, 7 and 9-19 have been cancelled.
5. Claim 5 has been amended.
6. Claims 5, 6 and 8, now re-numbered, as claims 1-3 are pending.

***Response to Arguments***

7. Applicant's arguments filed 07/07/04 have been fully considered and they are persuasive.

### **Allowable Subject Matter**

**8. Claims 5, 6 and 8 are allowed.**

The following is an examiner's statement of reasons for allowance: Owens et al (6,338,140 B1) teach a method executed by a provider of authorizing provision of service to a user where authorization for placing of a call and its execution is being provided to a user by a service provider where in fig.9, item s100 disclose powering a mobile telephone and interacting with it, a user id such as ESN, MIN is being received and in step s120 where a dynamic PIN is being generated and this the characters in a dynamic format that is associated with the user ID since is being generated based on the receiving of the ESN and MIN of the user mobile device and where having a memory; col.7, lines 46-54 where a database mapping the identification to respective keys or random characters); a second step of interacting with said user to receive from said user information responsive to requests placed to said user in the course of said interacting (see fig.9, item s140-s200 where the request for placing a call and authentication of the user's random PIN according to the mapping database instruction such as calling profile numbers (see abstract) of col.7, lines 46-54 is being processed); and a

third step of authorizing said provision of service when said information received in response to said requests corresponds to a subset of entries in said ordered list of characters that is associated with said requests placed to said user, provided that said service is permitted service for a user who provides said ID (see fig.9, item s220 and s240 where access to the service is granted). Also see abstract where dynamic PIN generator create keys randomly in order to avoid cloning phones and stealing telephone identities.

Walker et al (6,325,284 B1) teach transparent collimating layer on said card, magnifying and narrowing field view (see fig.2, 6, 8 and 10 where the card has a LCD that based on the time set magnify a message based on the ambient light and after time is expired it is narrowed to a point that is not being able to be read. However Owens et al and Walker et al taken singly or in combination does not teach or suggest the relationship between these features: a method of authorizing provision of service to a user comprising the step of: receiving a ID from said user; accessing a database to retrieve N ordered lists of characters associated with said ID, where N is an integer; generating a predetermined number of random variables; for each random number created in said step of generating (d) requesting said user to provide a responsive string of characters that is related to said random number, (e) receiving said responsive string of characters from said user, and (f) flagging a number in said N ordered list corresponding to said random number; and authorizing said provision of service when the set of responsive numbers received in response to a challenges matches a corresponding set of flagged number in any of said N ordered lists of

numbers, provided that said service is a permitted service for a user who is associated with the ordered list that matches **as recited in independent claims 5 and 8** and further a step of authorizing a provision of service when said information received in response to said request corresponds to a subset of entries in said ordered list of characters that is associated with said requests placed to said user, provided that said service is permitted service for user who provides said id **as recited in independent claim 5.**

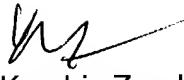
**9. Dependent claim 6** as being dependent upon Independent claim 5 and having additional allowable features therein.

### **Conclusion**

10. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."

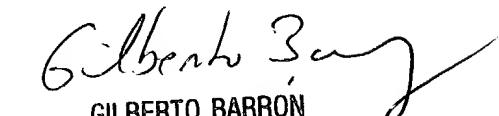
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the

organization where this application or proceeding is assigned as (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

08/04/04



GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100